

Minutes of the Personnel Committee
Tuesday, October 12, 2004

Chair Paulson called the meeting to order at 1:00 p.m. and led the committee in the Pledge of Allegiance.

Present: Supervisors Duane Paulson (Chair), Genia Bruce, Tom Bullermann, Jim Jeskewitz, Bonnie Morris and Bob Thelen. **Absent:** Supervisor Jeff Morris. Supervisor Jeskewitz left at 3:55 p.m. Supervisor Bruce left at 4:05 p.m.

Also Present: Legislative Policy Advisor Dave Krahn, Employment Services Manager Sue Zastrow, Employee Benefits Administrator Pete Hans, Labor Relations Manager Jim Richter, Corporation Counsel Tom Farley, Office Services Coordinator Windy Jicha, Public Works Director Rich Bolte, Budget Manager Keith Swartz, District Attorney Paul Bucher, Senior Financial Analyst Mike Baniel, Managing Attorney of Child Support Linda Saafir, Buildings Operations Manager Mark Keckeisen, Business Manager Betsy Crosswaite, Director of Administration Norm Cummings, Programs and Projects Analyst Jennifer Dubbenstein, Computer Coordinator Dennis Enloe.

Schedule Next Meeting Dates

- October 19
- November 2

Chair's Executive Committee Report of 10/11/04

Paulson said the Executive Committee reviewed the following items: 2005 operating budgets for UW-Extension, Non-Departmental General Fund, Waukesha County Federated Library Federation and Community Development Block Grant; reviewed several grants for UW-Extension and CDBG, heard an update on the Waukesha County Historical Society's ownership of the old courthouse and approved the 2005 – 2009 the capital projects resolution.

Discuss and Consider the 2005 Operating Budget for the Corporation Counsel's Office

Farley presented the 2005-operating budget for the Corporation Counsel's Office including the mission, position summary, programs and financial summaries. They have reduced legal expenses and collective bargaining expenses due to the track record of the last few years. There is a major increase of \$50,000 in revenue from HHS for 4E services, which covers the termination of parental rights and adoption program. The federal government has placed an emphasis on earlier termination of parental rights so the county is anticipating increased need of services in this area. For 2005, total expenditures for the Corporation Counsel's office are \$3,444,069 while revenues are \$2,381,445. The tax levy for this department is \$1,062,624, which is an increase of 4.4% or \$45,000. This is a cost to continue budget with few changes. Farley reported that interdepartmental fund decreased 8.8% due to the transfer of print services from interdepartmental charges to operating expenses.

Saafir reported on the Child Support Fund 2005 budget. Expenditures have increased slightly in 2005 by \$4,114 to \$2,158,473. Revenues decreased 1.5% or \$30,886, which includes Child Support fund balance appropriations of \$48,534 in 2003, \$65,000 in 2004 and \$99,528 in 2005. The 2003 actual fund balance usage was \$48,534. Other revenue in 2003 includes fund balance and \$432 in miscellaneous revenue. The Child Support Division was notified that the amount of revenues advanced in 2003 for Medical Support Liability Incentive was greater than actually earned, necessitating a payback in 2004 of \$10,065 to the state. The Child Support Division is anticipating a need for additional fund balance of \$5,277 in 2004 to make the repayment. The Child Support 2005 revenue funding components can be broken down as follows: performance-based (16%), administrative reimbursement (67%), MSL incentive (4%), tax levy/fund balance (12%) and miscellaneous revenues (1%).

Saafir distributed and reviewed a handout, which provides an update of the statistical information found on pages 125 and 126 of the budget book highlighting the departmental performance measures. The state annually awards funds to counties based on attainment of certain performance measures. These performance-based funds are categorized as regular performance-based funds and special improvement funds. In 2005, there are four performance measures that are tied to the funds earned during the federal fiscal year. These performance measures are: court order rate, paternity establishment rate, child support collection rate and arrearage collection rate.

Saafir outlined the budget for the Legal and Case Management Program. General government revenues in this program include all performance-based funding available to the Child Support Division through the annual state contract. A decrease of \$51,600 in general government revenue is the result of a \$56,000 or 13.8% decrease in performance-based funding, a \$6,000 decrease in medical support liability incentive, partially offset by an increase of \$10,500 in the administrative cost reimbursement. The decrease of \$4,000 in charges for services is due to a decrease in the receipt of blood test fees. The increase of \$17,300 in other revenues is an increase in the use of Child Support Division fund balance in this program.

MOTION: Bruce moved, Bullermann second, to tentatively approve the 2005-operating budget for the Corporation Counsel's Office. Motion carried: 6-0.

Ordinance 159-O-059: Create New and Abolish Positions, Approve Equity Adjustments, Transfer Positions to New Department of Emergency Preparedness, Reclassify Positions, and Abolish Sunset Provision

MOTION: Jeskewitz moved, Bullermann second, to tentatively amend the Building Services Worker I position listed in Ordinance 159-O-059 to a Building Services Worker II. Motion carried: 6-0.

Zastrow reviewed the new positions to be created or abolished in the Public Works Department as found on Table 1. The positions to be created, Maintenance Mechanic III, Maintenance Mechanic II and Building Service Worker II, will be used to support the new jail.

MOTION: Morris moved, Jeskewitz second, to tentatively approve the creation or abolishment of Public Works Department positions as listed in Table I. Motion carried: 6-0.

Zastrow reviewed those positions that were recommended for equity adjustments. There are four positions and three classifications up for equity adjustments. The points didn't change enough for these positions to warrant pay increases but rather the equity adjustments were recommended due to changes in the market place. Human Resources has a difficult time recruiting people for these positions.

MOTION: Thelen moved, Morris second, to tentatively approve the equity adjustments found on Table II. Motion carried: 6-0.

Zastrow explained that the abolishment of the Nutrition Site Manager is due to a reduction of hours and federal funding and the closing of one meal site. The staff person in this position will not lose her job but rather her benefits due to changing the position from RPT to temporary status. The department projects they will be unable to provide this position with the 20 hours per week needed for RPT status.

MOTION: Jeskewitz moved, Bruce second, to tentatively approve the abolishment of the RPT Nutrition Site Manager as found on Table I. Motion carried: 6-0.

MOTION: Jeskewitz moved, Morris second, to tentatively approve Section V of Ordinance 159-O-059. Motion carried: 6-0.

MOTION: Bullermann moved, Thelen second to tentatively approve Section IX of Ordinance 159-O-059. Motion carried: 6-0.

MOTION: Bruce moved, Morris second to tentatively approve Section VIII of Ordinance 159-O-059. Motion carried: 6-0.

Cummings said Section IV removes the sunset provision from all positions associated with the Victim Witness Chapter 950 Program. There is no direct expenditure or tax levy impact from this change estimated for 2005 since interest in bail forfeiture revenues are budgeted to offset lower estimated Victim Witness funding to cover position costs. However, a potential for future tax levy increases for the Victim Witness Program could occur if state funding does not keep pace with future program expenditure increases as has been experienced since the program began.

Bucher said these positions are obligated to the citizens of Waukesha County by constitutional amendment and enforced through chapter 950. There is a constitutional amendment that obligates us to have the Victim Witness Unit. Today we provide a more robust program for victims of crime than in the past. The constitutional amendment was passed in the early 1990s and then it took three to four years to enact the enforcement legislation. The state mandates us to do this program.

MOTION: Bullermann moved, Jeskewitz second, to tentatively approve Section IV of Ordinance 159-O-059. Motion carried: 6-0.

Bucher said he wanted to amend Ordinance 159-O-059 to add the position of the Computer Forensic Analyst. He currently has a position in his budget that deals with all information systems issues in his office. The state began discussing a statewide system for prosecutors several years ago. When this was implemented in Waukesha County, we switched from the IJIS system to the Protect System. Hundreds of staff hours have been put into making sure Protect works in Waukesha County. For the last few months, the computer coordinator has been working entirely on the conversion to Protect.

Bucher said in 2003, he put in his budget that he would be creating Computer Forensic Unit in his department and a Computer Forensic Analyst. Some of the duties of this unit would include teaching police officers how to seize things properly, dealing with attorneys on new technologies, putting together all parts of cases from a prosecutors point of view, setting up the LCD projectors at trials, analyzing computers when they come in, etc.

Bucher said as we got closer to implementing Protect, the County Executive started a movement to get rid of department computer coordinators and to rely on the IS staff for computer support. The computer coordinator in the DA's department became the sacrificial lamb in the county. Bucher wanted to move the position into the Computer Forensic Unit. In last year's budget deliberations, it was decided that 30 days after Protect was installed, the DA's Computer Coordinator Position would be eliminated because the state would provide computer support for Protect. After Protect was installed, Bucher thought he would move the computer coordinator position into the Computer Forensic Unit. In 2005, Bucher will have a need for a computer forensic analyst once the computer coordinator's position is done away with. Bucher said Finley does not support the creation of this position.

Bucher said three years ago, Human Resources contacted Bucher telling him that the computer coordinator position needed to be reclassified into a computer forensic analyst. At that time, Bucher said he did not want this to happen. At the time, he believed the change would eventually happen but the timing was not right. He needs the Computer Forensic Analyst to make the leap between the police officers that investigate crimes to the courtroom. We don't have this now but we need the partnership. Bucher distributed a job description for the Computer Forensic Analyst. There was no pay scale attached to the job description. He wants the ordinance to be amended to add this position in 2005 and to put it in his budget.

Paulson said he would not support this position. He asked if Bucher had approached the state on this? Bucher said no he has not. The state has the obligation to cover salaries and benefits for attorneys only.

Cummings was present to discuss the County Executive's view of this issue. We are trying to get away from the computer coordinators. Computer coordinators become too specialized in one department and are not able to help in other areas when needed. There is also no backup in departments for computer coordinator when it is needed. We found that we needed to cross-train people. Unlike the private sector, we are unable to fund positions we don't need all the time. We use consultants when necessary. We now have back up and cross training. It is unusual for the state to offer to install a computer system and support it. In the agreement with the state, we offered to provide a position to support the Protect System in the DA's office. The state turned down this offer because they want to support their own system with their people.

Cummings distributed the budget for the Sheriff's Department General Investigations Program. The mission of this program is to provide investigative follow-up to initial department incidents and other departments as requested and to provide specialized investigative services including arson, accident reconstruction, computer crimes, police artist, polygraph and child abuse. This budget includes expenditures totaling \$2,802,535. The staff in this department is there to investigate computer crimes. Thirty-eight percent of the 2005 budget covers state mandated programs. When the state comes in with a computer system that will reduce costs and one that they support, we have to take advantage of it. We have a program with a \$2.8 million budget to cover the work that Bucher wants done in his office.

Bullermann said this is a matter of prioritization. He sees the work done in the DA's office as much more important than work done in the Land Use Department. He sees the investigative work as separate from the computer forensics work. He wonders as criminal minds advance technologically, is the county tying the DA's hands by not providing the resources to keep up with criminals.

Cummings said the DA's office provides services for people from Waukesha County and those from other counties. The DA's office is a state office and needs to be supported by the state. He sees the Computer Forensic Analyst position as duplicative and unneeded. Other county departments such as HHS had to cut programs. The bulk of the 2006 county budget will go into the Sheriff's Department and HHS. There is money in the Sheriff's Department for this position.

Bruce asked if Bucher had money in the budget to cover this position? Bucher said they made room in the budget last year for this position but he doesn't have enough money this year to support it. Bruce asked if Bucher had asked Trawicki if his department could help cover the cost of this position? Bucher said he hasn't asked Trawicki, but he knows the answer is no. Bucher doesn't use the Sheriff's Department staff for investigations because he has his own investigator on staff to do investigations. He knows the Sheriff's Department doesn't have the resources.

Cummings said they have asked the Sheriff if he would take the position of computer forensic analyst in his department. Trawicki said he would be open to it. When Bucher showed no interest in having this position located in the Sheriff's Department, Trawicki backed off.

Bucher said this is stealing his position. He would be willing to do this if he could keep the position in his department. He doesn't want a computer investigator. He wants a computer forensic analyst. He doesn't need someone to search for child pornography. Anyone can find child pornography. Internet crimes go across county lines. They can go worldwide. I need a computer forensic analyst who can track down where the computer crimes originate. They could be anywhere. His computer coordinator has been so busy converting to Protect that he hasn't done any investigative work in quite some time.

Cummings said by putting the Computer Forensic Analyst in the Sheriff's Department, the position could also support other computer systems. They have offered to reclassify the position to Bucher but he declines. Administration doesn't want to start a new division.

Bullerman said the police department is held in high esteem in his community. His community places security high on their list of priorities. He wants the DA's office to have the resources they need to do their jobs.

Thelen asked what would have happened if we would have reclassified this position years ago? Cummings said the County Executive isn't interested in starting a new function in a state department. The county has a police officer that works on this full time. The county's priorities have changed over time especially with all the state cuts. If they had reclassified the position years ago, he doesn't know if it would be around today. We didn't know a few years ago we would have an increased need for computer staff in the jail.

Cummings said the county board pulled this program from the budget last year.

Paulson said Bucher told the committee that this person has been working on the conversion of Protect for the last few months and has not been doing any forensic computer work. Paulson said Bucher also said finding porn on a computer is easy and that Internet crimes are derived from all over the world. They go across county lines. This is something that the state should be funding or maybe it should be made regional.

Jeskewitz asked what are the county's future plans to deal with the increase of computer crimes? The state isn't helping us. Protection and safety is a priority in his community. Will we handcuff ourselves by not looking to the future?

Cummings said this position would cost the taxpayer a third of a penny.

Morris said she thinks this is a good program but this is handled by the Sheriffs Department. It bothers her the amount of money we spend on crime. She can't justify it. She's not opposed to making an amendment to the ordinance so other people can have the opportunity to debate the creation of this position (though).

Paulson said this position is no longer needed in the DA's office because it was replaced with state support of Protect. If you're going to keep this position in the DA's office, where will you take up the slack in the budget to fund it. The board has never approved a position that wasn't funded. Paulson said he wants Bucher to go to the Sheriff and ask him to remove this position from his budget.

Swartz said five years ago, state mandates consumed 27% of our budget. Now mandates consume 38%. It is hard to guess how much of the budget it will consume in a few years. We need to look to the state for funding.

MOTION: Bullermann moved, Jeskewitz second, to amend the ordinance to approve the creation of the Computer Forensic Analyst position. Motion carried: 4-2 (Paulson and Morris voted no).

MOTION: Bruce moved, Jeskewitz second, to approve Ordinance 159-O-059 as amended without the above listed amendment/motion to create the Computer Forensic Analyst position. Motion carried: 6-0.

Supervisor Jeskewitz left the meeting at 3:55 p.m.

Motion to go into Closed Session -MOTION: Morris moved, Bruce second, to go into closed session in accordance with SS 19.85(1)e Wis. Stats. for the purpose of discussing collective bargaining issues associated with the AFSCME Master Unit Contract and to approve the closed session minutes of September 7, 2004. The committee went into closed session at 3:55 p.m. Motion carried: 5-0.

Supervisor Bruce left the meeting at 4:05 p.m.

MOTION: Morris moved, Bullermann second to return to open session at 4:15 p.m. Motion carried: 5-0.

Motion to Adjourn

MOTION: Bullermann moved, Thelen second, to adjourn the meeting at 4:16 p.m. Motion carried: 5-0.

Respectfully submitted,

Bonnie J. Morris
Secretary